

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 40, 41, 45-47, 60-62, 93, 97, 98, 102, 103, 113-116, 119, 120, 124-126, 137-141, and 143-148 have been canceled without prejudice or disclaimer, and claims 38, 42, 48, 49, 52, 59, 95, 99, 101, 104, 105, 117, 127, 134, 136, and 142 have been amended.

No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 38-40, 42-44, 48-59, 95, 96, 99-101, 104-112, 117, 118, 121-123, 127-136, and 142 are pending and under consideration. Reconsideration is requested.

**REJECTION UNDER 35 U.S.C. §102:**

In the Office Action at pages 2-6, the Examiner rejects claims 38, 39, 41-44, 56-58, 95, 96, 98-102, 117, 118, 120-123, 134, and 136 under 35 U.S.C. §102 in view of Yasui (U.S. Patent No. 5,999,505). This rejection is respectfully traversed and reconsideration is requested.

As an initial point of clarification, claims 41, 98, 102, and 120 have been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection of these claims is deemed moot.

In addition, as also noted by the Examiner on page 7 of the Office Action and as discussed with the Examiner in the interview conducted May 14, 2003, Yasui does not disclose or suggest storing real time recording/reproduction information in a file entry for a universal disk format (UDF) system. Moreover, while Yasui does suggest a segment allocation table 800 which includes a Real Time Flag in col. 8, lines 5-15, Yasui does not suggest that the Real Time Flag is stored in a file type field in an information control block (TCB) TAG field as would be understood by one of ordinary skill in the art as the information control block (TCB) TAG field is defined in the UDF system.

In contrast, claim 38 recites, among other features, that "the real time recording/reproduction information is stored in a file type field in an information control block (ICB) TAG field of a file entry for a universal disk format (UDF) system." As such, it is respectfully submitted that Yasui does not disclose or suggest the invention recited in claim 38.

For similar reasons, it is respectfully submitted that Yasui does not disclose or suggest the invention recited in claims 95 and 117.

Claims 39, 42-44, 56-58, 96, 99-101, 118, 121-123, 134, and 136 are deemed patentable

due at least to their depending from corresponding claims 38, 95, and 117.

**REJECTION UNDER 35 U.S.C. §103:**

In the Office Action at pages 6-8, the Examiner rejects claims 40, 97, 119, 142-145, and 147 under 35 U.S.C. §103 in view of Yasui and Mine (U.S. Patent No. 5,966,358). The rejection is respectfully traversed and reconsideration is requested.

As an initial point of clarification, claims 40, 97, 119, 143-145, and 147 have been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection of these claims is deemed moot.

In addition, on page 7 of the Office Action, the Examiner asserts that col. 8, lines 5-15, of Yasui discloses storing real time recording and/or reproducing information in a field type field in an ICB TAG field of a file entry. As a point of clarification and as also noted above with regard to the rejection of claim 38 in view of Yasui, Yasui suggests including a Real Time Flag in a segmentation allocation table 800 of a User Table of Contents (UTOOC) for use with a magneto-optical disc 804. (Col. 7, lines 69-67 and col. 8, lines 5-15 of Yasui). There is no suggestion that the segmentation allocation table 800 is compliant with the UDF system, which defines the ICB TAG field. As such, it is respectfully submitted that Yasui does not suggest a location in which the Real Time Flag is stored which corresponds to the recited location in claim 142.

In addition, even assuming arguendo that Mine suggests a UDF system having a file entry for storing management information as asserted by the Examiner on page 7 of the Office Action, Mine does not suggest which field should be used for storing real time information. As also discussed with the Examiner in the interview, the UDF system includes multiple fields which can include management information. There is no suggestion in either Yasui or Mine that an ICB TAG field should be used.

Moreover, it is noted that the UDF system in effect at the time of Mine was UDF Specification, Rev. 2.0, which did not suggest using real time information in the manner recited in claim 142. It was only subsequent to the filing of the instant application that UDF Specification, Rev. 2.01, was established which even suggests using real time files in the UDF system. Prior to version 2.01, the UDF system was not compatible with the use of real time files since previous UDF systems required verifying data integrity after writing to the disc. However, while appropriate for non-real time files, this type of verification is not necessary or usable in relation to real time recording and reproduction.

Even assuming arguendo that a Real Time Flag suggested by Yasui was stored in the

ICB TAG field existing prior to the time of the instant invention, the versions of the UDF systems then in effect would not recognize the new real time information recited in claim 142. As such, the UDF system suggested in Mine would deny access to the real time file since the UDF system of Mine would lack the capacity to recognize that the file is a real time file, or how the file should be handled without requiring verification of the file.

Further, the file type field of the ICB TAG was found to have advantages in guaranteeing real time access to a file in the UDF system such that the use of the file type field does not represent a mere design choice. Specifically, other fields in the UDF system and the ICB TAG were not found to be suitable for real time recording and reproduction as these fields could allow for a break down in the real-time file condition. That one of ordinary skill in the art considered the field-type field of the ICB Tag to be a superior storage location for the real-time information is further reinforced by the subsequent adoption of this location in Rev. 2.01 of the UDF Specification on March 15, 2000.

A marked up copy of the UDF Specification, Rev. 2.01, produced by Optical Storage Technology Association showing the addition of a real time capability in the recited location as section 6.11 and is included in Appendix A for the convenience of the Examiner.

As such, it is respectfully submitted that the combination of Yasui and Mine does not disclose or suggest, among other features, "recording the real time recording and/or reproduction information in a file type field in an (ICB) TAG field of a file entry for a universal disk format (UDF) system" as recited in claim 142.

For similar reasons, it is respectfully submitted that the combination of Yasui and Mine does not disclose or suggest the invention recited in claims 38, 95 and 117.

**STATUS OF CLAIMS NOT REJECTED:**

On pages 8-9 of the Office Action, the Examiner objects to claims 45-55, 57, 59-62, 93, 102-116, 124-133, 135, 137-141, 146, and 148 as depending from rejected base claims. Claims 45-47, 60-62, 93, 102, 103, 113-116, 124-126, 137-141, 146 and 148 have been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the objection is deemed moot.

In addition, claims 48, 59, 105, and 127 have been amended to no longer depend from a rejected base claim. As such, it is respectfully requested that the Examiner reconsider the objection to claims 48, 59, 105, and 127.

**CONCLUSION:**

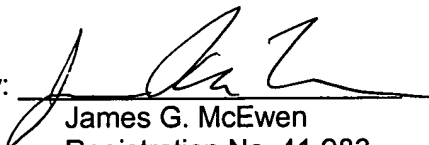
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

By:   
James G. McEwen  
Registration No. 41,983

1201 New York Avenue, N.W.  
Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

Date: July 16, 2003